

Global NAPs, Inc.'s Adoption of the Terms of the Interconnection Agreement Between Global NAPs, Inc. and Verizon Rhode Island Pursuant to the BA/GTE Merger Conditions

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**LEGAL NOTICE**

On March 26, 2002, Verizon New England, Inc. d/b/a Verizon Massachusetts ("Verizon") filed for review with the Department of Telecommunications and Energy ("Department") a final negotiated interconnection agreement ("Agreement") pursuant to § 252(e) of the Telecommunications Act of 1996 ("Act"), between Verizon Rhode Island and Global NAPs, Inc. ("GNAPs"). GNAPs seeks to adopt the Agreement in Massachusetts pursuant to the Bell Atlantic/GTE Merger Order. See Global NAPs, Inc. v. Verizon Communications, File No. EB-01-MD-101, Memorandum Opinion and Order, FCC 02-59 (rel. February 28, 2002) ("FCC Order"). In the FCC Order, the FCC ruled that the Bell Atlantic/GTE Merger Order enabled GNAPs to adopt the entire Rhode Island Agreement in Massachusetts and Virginia. FCC Order at ¶¶ 20-21. In submitting the Agreement to the Department for its review, Verizon seeks a declaration that Section 5.7.2.3 of the Rhode Island Agreement shall not be construed to require that Verizon pay GNAPs reciprocal compensation for ISP-bound traffic in Massachusetts after May 19, 1999. GNAPs disagrees, asking the Department to approve the Agreement in its entirety. A copy of the Agreement is available for public inspection during normal business hours at the Department's Telecommunications Division, One South Station, Boston, MA.

The Act requires that the Department accept or reject a negotiated interconnection agreement, with written findings as to any deficiencies, within 90 days of the filing (*i.e.*, by June 24, 2002). The Department may only reject negotiated portions of the Agreement if it finds that: (1) the Agreement (or any portion thereof) discriminates against a telecommunications carrier not a party to the Agreement; or (2) the implementation of the Agreement or portion thereof is inconsistent with the public interest, convenience and necessity.

Upon the foregoing, the Department will conduct a public hearing to receive oral comments on the Agreement at the Department's offices, One South Station, Second Floor, Boston, Massachusetts, on Thursday, May 16, 2002, at 10:00 a.m. In addition, the Department solicits comments from interested persons as to whether it should approve or reject the Agreement. If an interested person recommends that the Department reject the Agreement, that interested person should specify in detail how the Agreement is deficient under the above standards. Written comments on the Agreement will be received by Mary L. Cottrell, Secretary, Department of Telecommunications and Energy, One South Station, Second Floor, Boston, Massachusetts 02110, RE: DTE 02-21. Written comments should be filed with the Department

Secretary by Monday, May 6, 2002. Reply comments should be filed by Wednesday, May 22, 2002.

By Order of the Department,

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MARY L. COTTRELL, SECRETARY